

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9454 of 2024**

Arising Out of PS. Case No.-194 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. Bharat Yadav, Son of Late Lila Yadav
  2. Devmanti Devi, W/o Tota Yadav
  3. Ramdeo Yadav Son of Late Lila Yadav
- All are R/o vill - Surhari tola Murkata, P.S. - Muffasil, Distt. - Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Anand Vardhan, Advocate  
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      10-04-2024                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The accused/petitioners seeks bail in connection with Muffasil P.S. Case No.194 of 2021 registered for the offence punishable under Sections 406 and 420 read with 34 of the Indian Penal Code.

3. The accused/petitioners are named in the FIR and are in custody since 25.09.2023.

4. The allegation against the petitioners is to cheat the informant along with other co-accused persons as not to execute the sale deed for the land of Khata No.212,



Plot No.920, Area 6800 sq.ft., where total consideration amount of Rs. 70,00,000/- was mutually decided as per agreement dated 22.04.2019, where Rs. 24,10,000/- was paid in advance.

5. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated out of civil dispute with the present criminal prosecution. It is pointed out that it was co-accused Sukhdeo Yadav, who received the entire amount of Rs.24,10,000/-, which is evident from the Annexures annexed with the agreement dated 22.04.2019, which is the part of FIR itself. It is further submitted that during course of investigation, it transpired that out of Rs.24,10,000/-, Rs.5,11,000/- was received by petitioners collectively out of which, Rs. 4,73,000/- was returned back to the informant. This fact transpired during investigation, which is available in para-6 of the case diary. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.



6. Learned APP opposes the prayer for grant of bail to the petitioners.

7. In view of aforesaid facts and circumstances, as thrust of receiving payment of Rs.24,10,000/- is available against co-accused, Sukhdeo Yadav, who is not the petitioner for the present, where apparently, the present criminal prosecution is out of civil dispute, accordingly, all three above-named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Gaya in connection with Muffasil P.S. Case No.194 of 2021, subject to the conditions as laid down under Section 437(3) of the CrPC.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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